IN THE CLAIMS

Claim 1 (canceled).

Claim 2 (previously amended). The insulating wire separator apparatus of Claim 24, wherein the insulating wire separator apparatus is made of a resilient, nonconductive, noncorrosive, nonbiodegradable material.

Claim 3 (previously amended). The insulating wire separator apparatus of Claim 24, wherein a separator post extends at right angles from said arm portion, said separator post spaced at least ten inches from said plate portion; and said arm portion extends at least two inches beyond said separator post, to provide safe spacing for additional underground utilities in a common trench location.

Claim 4 (canceled).

Claim 5 (previously amended). The insulating wire separator apparatus of Claim 24, wherein said body is color coded, with a separate color used for each utility.

Claim 6 (currently amended). The insulating wire separator apparatus of Claim 24, wherein the tracer wire clip portion is located at said other ~~end~~ of said ~~arm portion~~ opposite ends.

Claim 7 (previously amended). The insulating wire separator apparatus of Claim 24, wherein the opening in the resilient, main conduit receiving portion is from about sixty to about eighty degrees from the centerline of the main conduit.

Claim 8 (previously amended). The insulating wire separator apparatus of Claim 24, wherein the tracer wire clip finger portion is angled from about three to about thirty degrees from the centerline of said arm portion to engage varying sizes of tracer wire therein.

Claim 9 (currently amended). The insulating wire separator apparatus of Claim 24, wherein the main conduit receiving portion comprises an inner radius having a first half portion, with a second half portion releasably secured to said first half portion by a releasable fastener.

Claim 10 (currently amended). 22. An insulating wire separator apparatus for separating a tracer wire a safe distance from a main conduit in a trench prior to back-filling comprising:

a) an elongated body having opposite ends, a resilient, main conduit receiving portion at one of said opposite ends having an inner radius ~~size~~ sized to receive said main conduit therein, an opening into said main conduit receiving portion facing away from the remainder of said body and sized to flex about said main conduit, and a pair of conduit engaging sliding wedge surfaces on opposite sides of said opening which engage said main conduit to flex said main conduit receiving portion to expand said opening and position said main conduit within said main conduit receiving portion upon the application of force between said main conduit and said conduit engaging sliding wedge surfaces of said main conduit receiving portion, said main conduit receiving portion having an outer strengthening rib which extends about said main conduit receiving portion of the wire separator apparatus;

b) an arm portion of said body extending away from said main conduit receiving portion on a side opposite said opening, said arm portion extending to the other of said opposite ends, an electrically insulative safe distance beyond said main conduit receiving portion;

c) a foot plate and earth anchor portion extending generally perpendicularly from said arm portion in proximity to said conduit receiving portion whereby said force may be applied between said conduit engaging sliding wedge surfaces and said main conduit to flex said main conduit receiving portion and expand said opening to position said main conduit in said main conduit receiving portion and to resist rotation of said wire separator apparatus about said main conduit after back-filling;

d) a separator post extending at least two inches at right angles from said arm portion, said separator post spaced at least about ten inches from said plate portion to position separate utility lines within a common trench prior to back-filling;

e) a tracer wire clip portion having a pair of fingers for receiving a tracer wire therein, said fingers positioned to extend from the arm portion, midway between the centerline of the main conduit and the separator post to position the tracer wire a safe distance from the main conduit to protect the conduit from becoming damaged or melted from an accidental electrical charge, or a lightning strike; and

said insulating wire separator apparatus is made of a non-conductive, non-corrosive, non-biodegradable material.

Claim 11 (currently amended). The insulating wire separator apparatus of Claim 27, wherein said arm portion extends at ~~about~~ least about two inches beyond said separator post to provide safe spacing for additional underground utilities in a common trench location.

Claim 12 (previously amended). The insulating wire separator apparatus of Claim 25, wherein said body is color-coded with a separate color used for each utility.

Claim 13 (currently amended). The insulating wire separator apparatus of Claim 25, wherein the tracer wire clip portion is located at said other ~~end~~ of said ~~arm portion~~ opposite ends.

Claim 14 (previously amended). The insulating wire separator apparatus of Claim 25, wherein the opening provided in the resilient, main conduit receiving portion is from about sixty to about eighty degrees from the centerline of the main conduit.

Claim 15 (previously amended). The insulating wire separator apparatus of Claim 25, wherein the tracer wire clip finger portion is angled from about three to about thirty degrees from the centerline of said arm portion to engage varying sizes of tracer wire therein.

Claim 16 (previously amended). The insulating wire separator apparatus of Claim 25, wherein the main conduit receiving portion comprises an inner radius having a first half radiused portion, with a second half radiused portion releasably secured to said first half radiused portion by a releasable fastener.

Claim 17 (currently amended). 23. An insulating wire separator apparatus for separating a tracer wire a safe distance from a main conduit in a trench prior to back-filling, which comprises:

a) an elongated body having opposite ends, a resilient, main conduit receiving portion at one of said opposite ends having an inner radius ~~size~~ sized to receive said main conduit therein, an opening into said main conduit receiving portion facing away from the remainder of said body and sized to flex about said main conduit, and a pair of conduit engaging sliding wedge surfaces on opposite sides of said opening which engage said main conduit to flex said main conduit receiving portion to expand said opening and position said main conduit within said main

conduit receiving portion upon the application of force between said main conduit and said conduit engaging sliding wedge surfaces of said main conduit receiving portion;

b) an I-beam arm portion of said body extending from the main conduit receiving portion on a side opposite said opening in the main conduit receiving portion, said I-beam arm portion extending at least ten inches beyond said main conduit receiving portion;

c) a foot plate and earth anchor portion extending generally perpendicularly from said arm portion in proximity to said conduit receiving portion whereby said force may be applied between said conduit engaging sliding wedge surfaces and said main conduit to flex said main conduit receiving portion and expand said opening to position said main conduit in said main conduit receiving portion and to resist rotation of said wire separator apparatus about said main conduit after back-filling;

d) a separator post which extends at least about two inches above said arm portion, said separator post spaced at least about ten inches along said arm portion from said plate portion;

e) a tracer wire clip portion having a pair of fingers for receiving a tracer wire therein, said fingers positioned to extend from the arm portion, midway between said separator post and the centerline of the main conduit;

f) the insulating wire separator apparatus made of a non-conductive, non-corrosive, non-biodegradable material; and

g) said arm portion extends at least about two inches beyond said separator post, to provide safe spacing for additional underground utilities in a common trench location, and to position the tracer wire a safe distance from the main conduit to protect the conduit from damage

by an accidental electrical charge or by a lightning strike, said tracer wire for alerting the presence of conduit located beneath the ground after back-filling the trench.

Claim 18 (previously amended). The insulating wire separator apparatus of Claim 24, wherein the main conduit receiving portion comprises a first half radiused portion, with a second half radiused portion releasably secured to said first half radiused portion by a releasable fastener.

Claim 19 (previously amended). The insulating wire separator apparatus of Claim 26, wherein the tracer wire clip finger portion is angled from about three to about thirty degrees from the centerline of said arm portion to engage varying sizes of tracer wire therein.

Claim 20 (previously amended). The insulating wire separator apparatus of Claim 26, ~~wherein~~ wherein said body is color-coded, with a separate color used for each utility.

Claim 21 (canceled).

Claim 22 (canceled).

Claim 23 (canceled).

Claim 24 (currently amended). An insulating wire separator apparatus for separating a tracer wire a safe electrically insulative distance from a main conduit in a trench prior to back-filling comprising:

a) an elongated body having opposite ends, a resilient, main conduit receiving portion at one of said opposite ends having an inner radius ~~size~~ sized to receive said main conduit therein, an opening into said main conduit receiving portion facing away from the remainder of said body and sized to flex about said main conduit, and a pair of conduit engaging

sliding wedge surfaces on opposite sides of said opening which engage said main conduit to flex said main conduit receiving portion to expand said opening and position said main conduit within said main conduit receiving portion upon the application of force between said main conduit and said conduit engaging sliding wedge surfaces of said main conduit receiving portion;

b) an arm portion of said body extending away from said main conduit receiving portion on a side opposite said opening, said arm portion extending to the other of said opposite ends, an electrically insulative safe distance beyond said main conduit receiving portion;

c) a foot plate and earth anchor portion extending generally perpendicularly from said arm portion in proximity to said conduit receiving portion whereby said force may be applied between said conduit engaging sliding wedge surfaces and said main conduit to flex said main conduit receiving portion and expand said opening to position said main conduit in said main conduit receiving portion and to resist rotation of said wire separator apparatus about said main conduit after back-filling; and

d) a tracer wire clip portion for receiving a tracer wire therein, said tracer wire clip portion being positioned on said arm portion adjacent to said other end to position the tracer wire said safe distance from said main conduit ~~from said main conduit~~ receiving portion and said conduit therein to protect said conduit from being damaged.

Claim 25 (currently amended). The insulating wire apparatus of Claim 24 wherein said main conduit receiving portion has ~~a~~ an outwardly extending strengthening rib which extends between said conduit engaging sliding wedge surfaces and said arm portion.

Claim 26 (previously added). The insulating wire apparatus of Claim 24 wherein said tracer wire clip portion has a pair of fingers for receiving a tracer wire therebetween.

Claim 27 (previously added). The insulating wire apparatus of Claim 24 further comprising a separator post extending generally perpendicularly from said arm portion in proximity to said tracer wire clip portion.

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Claim 28 (previously added). The insulating wire separator apparatus of Claim 24, wherein the opening provided in the resilient, main conduit receiving portion is from about sixty to about eighty degrees from the centerline of the main conduit.

Claim 29 (previously added). The insulating wire separator apparatus of Claim 24, wherein the tracer wire clip portion is angled from about three to about thirty degrees from the centerline of said arm portion to engage varying sizes of tracer wire.